



The Law Office of Barry E. Janay, P.C.  
111 Boulder Ridge Rd.  
Scarsdale, NY 10583  
917-756-8501  
bjanay@lobej.com

May 20, 2015

**VIA ECF**

Hon. Jesse M. Furman  
United States District Judge  
40 Centre St., Rm. 2202  
New York, NY 10007

*RE: Michael Ward v. Barnes & Noble, Inc. et al., 13 Civ. 7851(JMF)*

Dear Judge Furman,

I am writing regarding the apparent non-compliance with your individual part rules cited by your most recent Order (Dkt. 81). I contacted your courtroom deputy by telephone yesterday since this was an urgent matter given the deadline in order to find out which rule was not followed and was advised that it was Rule 5. Upon review of section (B) subsection (v) I saw realized that my submission was improper due to the lack of "separate manila folders labeled with the exhibit numbers and placed in a suitable container for ready reference."

I apologize for only including a single manila folder, however exhibit sheets did separate each exhibit. The above said however, I am unable to comply with the Order issued on July 15, 2015 due to other professional obligations (a summary judgment deadline in an NY Supreme Court Case) and logistical issues concerning access to high volume printing. As a result I will not be able to re-submit the exhibits in the proper format by the end of business today. I note that I was only alerted to the deficiency by email late yesterday afternoon.

Yours truly,  
/Barry E. Janay /  
Barry E. Janay, Esq.

cc: Louis Ederer, Esq. (By Email)